

REMARKS/ARGUMENTS

Claims

Claims 1-31 are pending in the present application. Claims 1-9, 12, 23-25, 30 and 31 are amended. Claims 20-22 and 27-29 are canceled.

Claim Rejections – 35 U.S.C. § 102

Claims 1-21 and 26-31 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,208,763 to Avinash. Applicant respectfully traverses this rejection.

Independent claim 1 is amended to include the counts-based modulation mask being generated by assigning a weighted value of the detected x-ray signal intensity of the raw image data at each pixel of the x-ray detector, and the weighted value being defined by a group of count modulation curves, wherein each count modulation curve effects a different level of noise reduction. The Examiner states in the allowance of claims 22-25 that the limitation of a group of count modulation curves is not taught in the cited prior art. Therefore, Applicant believes that independent claim 1 contains patentable subject matter, and is thus allowable.

Claims 2 and 3 are dependent claims, dependent upon independent claim 1, and thus should be allowable for the above reasons as well as for the additional elements they contain.

Independent claim 4 is amended to include the counts-based modulation mask being generated by assigning a weighted value of the detected x-ray signal of the raw image data at each pixel of the plurality of pixels, and the weighted value being defined by a group of count modulation curves, wherein each count modulation curve effects a different level of noise

reduction. The Examiner states in the allowance of claims 22-25 that the limitation of a group of count modulation curves is not taught in the cited prior art. Therefore, Applicant believes that independent claim 4 contains patentable subject matter, and is thus allowable.

Claims 5-19 and 26 are dependent claims, dependent upon independent claim 4, and thus should be allowable for the above reasons as well as for the additional elements they contain. Claim 20 and 21 are canceled. Claims 27-29 are canceled.

Independent claim 30 is amended to include the counts-based modulation mask being generated by assigning a weighted value of the detected x-rays at each pixel of the x-ray detector, and the weighted value being defined by a group of count modulation curves, wherein each count modulation curve effects a different level of noise reduction. The Examiner states in the allowance of claims 22-25 that the limitation of a group of count modulation curves is not taught in the cited prior art. Therefore, Applicant believes that independent claim 30 contains patentable subject matter, and is thus allowable

Claim 31 is a dependent claim, dependent upon independent claim 30, and thus should be allowable for the above reasons as well as for the additional elements it contains.

Accordingly, claims 1-19, 26, 30 and 31 are believed to be allowable. Withdrawal of the rejection under 35 U.S.C. § 102(b) and allowance of claims is respectfully requested.

Allowable Subject Matter

Claims 22-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims. Applicant appreciates the allowance of claims 22-25 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The subject matter of claim 22 has been incorporated in independent claims 1, 4 and 30. Claims 23-25 are dependent claims, dependent upon independent claim 4, and thus should be allowable for the above reasons as well as for the additional elements they contain.

Conclusion

In view of the amendments and remarks/arguments presented above, the Applicant believes that the application is now in condition for allowance, and respectfully requests reconsideration of the application, withdrawal of the rejections, and allowance of the claims. The Applicant respectfully requests that the Examiner telephone the undersigned in the event a telephone conference would be helpful in advancing prosecution of the application towards allowance.

The Director is hereby authorized to charge any additional fees, which may be required in this application, or credit any overpayments, to Deposit Account No. 070845. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extension fees to Deposit Account No. 070845.

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Respectfully submitted,

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